

1 **O'REILLY LAW GROUP, LLC**  
 2 John F. O'Reilly, Esq.  
 3 Nevada Bar No. 1761  
 4 Timothy R. O'Reilly, Esq.  
 5 Nevada Bar No. 8866  
 6 325 S. Maryland Parkway  
 7 Las Vegas, Nevada 89101  
 8 Telephone: (702) 382-2500  
 9 Facsimile: (702) 384-6266  
 10 Attorneys for Creditor  
 11 MICHAEL PETERSEN

E-Filed on September 7, 2007

## UNITED STATES BANKRUPTCY COURT

## DISTRICT OF NEVADA

In Re:

USA COMMERCIAL MORTGAGE  
COMPANY,

Debtor.

) Case No.: BK-S-06-10725 LBR  
 ) Chapter 11  
 ) BK-S-06-10726 LBR  
 ) BK-S-06-10727 LBR  
 ) BK-S-06-10728 LBR  
 ) BK-S-06-10729 LBR

In Re:

USA CAPITAL REALTY ADVISORS,  
LLC,

Debtor.

) Jointly Administered Under  
 ) Case No. BK-S-06-10725 LBR

Judge: Honorable Linda B. Riegle

) **STIPULATION FOR SUBSTITUTION OF  
ATTORNEY FOR CREDITOR MICHAEL  
PETERSEN**

In Re:

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

Debtor.

)  
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 )  
 )  
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In Re:

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

Debtor.

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 )  
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In Re:

USA SECURITIES, LLC,

)  
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 )

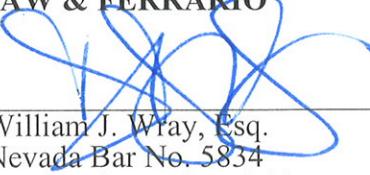
STIPULATION TO SUBSTITUTION OF ATTORNEY  
FOR CREDITOR MICHAEL PETERSEN

1 Debtor. )  
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 3 )

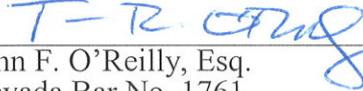
4 IT IS HEREBY STIPULATED by and between John F. O'Reilly, Esq. and Timothy R. O'Reilly,  
 5 Esq. of O'REILLY LAW GROUP, LLC as attorneys for Secured Creditor, Michael Petersen and William  
 6 J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. formerly of the law firm of O'REILLY LAW  
 7 GROUP, LLC and who are now attorneys employed by the law firm of KUMMER, KAEMPFER,  
 8 BONNER, RENSHAW & FERRARIO to substitute John F. O'Reilly, Esq. and Timothy R. O'Reilly,  
 9 Esq. of O'REILLY LAW GROUP, LLC as the attorney of record for MICHAEL PETERSEN,  
 10 SECURED CREDITOR in the above entitled action.

11 IT IS FURTHER STIPULATED that William J. Wray, Esq. and Donna DiMaggio-Highberger,  
 12 Esq. are to be removed from all mailing lists and electronic notices in this case. Attached to this  
 13 Stipulation as Exhibit 1 is an executed Substitution of Attorney For Creditor Michael Petersen and  
 14 Request for Removal from Service List.

15 **KUMMER, KAEMPFER, BONNER,**  
 16 **RENSHAW & FERRARIO**

17 By:   
 18 William J. Wray, Esq.  
 19 Nevada Bar No. 5834  
 20 Donna DiMaggio-Highberger, Esq.  
 21 Nevada Bar No. 9794  
 22 3800 Howard Hughes Pkwy  
 23 7<sup>th</sup> Floor  
 24 Las Vegas, Nevada 89169

25 **O'REILLY LAW GROUP, LLC**

26 By:   
 27 John F. O'Reilly, Esq.  
 28 Nevada Bar No. 1761  
 29 Timothy R. O'Reilly, Esq.  
 30 Nevada Bar No. 8866  
 31 325 South Maryland Parkway  
 32 Las Vegas, Nevada 89101  
 33 Attorneys for Creditor  
 34 MICHAEL PETERSEN

## PROOF OF SERVICE

I HEREBY CERTIFY, pursuant to LR 9041(C)(1)(a), that on this 1<sup>st</sup> day of September  
2007, I served the above and foregoing **STIPULATION TO SUBSTITUTION OF ATTORNEY FOR  
CREDITOR MICHAEL PETERSEN** by placing a copy of same in a sealed envelope, with postage  
fully prepaid thereon, and sending via U.S. mail to the following:

6 Annette W. Jarvis, Esq.  
Ray Quinney & Nebeker P.C.  
7 36 South State Street, Suite 1400  
P.O. Box 45385  
8 Salt Lake City, Utah 84145-0385  
Fax: (801) 532-7543  
9 Co-Counsel for Debtors

10 Lenard E. Schwartzer, Esq.  
Jeanette E. McPherson  
11 Schwartzer & McPherson Law Firm  
2850 S. Jones Blvd., Suite 1  
12 Las Vegas, Nevada 89146-5308  
Fax: (702) 892-0122  
13 Co-Counsel for Debtors



Employee of O'REILLY LAW GROUP

An Employee of O'REILLY LAW GROUP, LLC

**O'REILLY LAW GROUP, LLC**  
A NEVADA LIMITED LIABILITY COMPANY INCLUDING CORPORATIONS  
325 South Maryland Parkway • Las Vegas, Nevada 89101-5300  
Telephone (702) 382-2500 • Facsimile (702) 384-6266

# EXHIBIT 1

1 **O'REILLY LAW GROUP, LLC**

2 John F. O'Reilly, Esq.  
 2 Nevada Bar No. 1761  
 3 Timothy R. O'Reilly, Esq.  
 3 Nevada Bar No. 8866  
 4 325 S. Maryland Parkway  
 4 Las Vegas, Nevada 89101  
 5 Telephone: (702) 382-2500  
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 6 Attorneys for Creditor  
 6 MICHAEL PETERSEN

E-Filed on September 7, 2007

7 **UNITED STATES BANKRUPTCY COURT**8 **DISTRICT OF NEVADA**

9 In Re:

10 USA COMMERCIAL MORTGAGE  
 11 COMPANY,  
 12 Debtor.

) Case No.: BK-S-06-10725 LBR  
 ) Chapter 11  
 ) BK-S-06-10726 LBR  
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 ) BK-S-06-10729 LBR

13 In Re:

14 USA CAPITAL REALTY ADVISORS,  
 15 LLC,  
 16 Debtor.

) Jointly Administered Under  
 ) Case No. BK-S-06-10725 LBR

) Judge: Honorable Linda B. Riegle

**SUBSTITUTION OF ATTORNEY FOR  
 CREDITOR MICHAEL PETERSEN AND  
 REQUEST THAT WILLIAM J. WRAY AND  
 DONNA DIMAGGIO-HIGHBERGER BE  
 REMOVED FROM SERVICE LIST**

**[NO HEARING REQUIRED]**

17 In Re:

18 USA CAPITAL DIVERSIFIED TRUST  
 19 DEED FUND, LLC,  
 20 Debtor.

)  
 )  
 )

21 In Re:

22 USA CAPITAL FIRST TRUST DEED  
 23 FUND, LLC,  
 24 Debtor.

)  
 )  
 )

25 In Re:

26 USA SECURITIES, LLC,  
 27 Debtor.

)  
 )  
 )

1 TO ALL PARTIES IN INTEREST:

2 PLEASE TAKE NOTICE Michael Petersen, (hereinafter "PETERSEN"), a secured creditor of  
3 Debtor USA Commercial Mortgage Company, et al makes the following Substitution of Attorney:

4 1. The name, address, and telephone number of the New Attorney is as follows:

5 John F. O'Reilly, Esq.  
6 Nevada Bar No. 1761  
7 jor@oreillylawgroup.com  
8 Timothy R. O'Reilly, Esq.  
9 Nevada Bar No. 8866  
10 tor@oreillylawgroup.com  
11 **O'REILLY LAW GROUP, LLC**  
12 325 S. Maryland Parkway  
13 Las Vegas, Nevada 89101  
14 Telephone: (702) 382-2500  
15 Facsimile: (702) 384-6266

16 2. The New Attorneys' on behalf of PETERSEN hereby appear in the Case.

17 3. The New Attorneys' are substituted as attorney of record in place and stead of the present  
18 attorneys' William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. who are no  
19 longer employed by O'REILLY LAW GROUP, LLC and are now attorneys for the law  
20 firm of KUMMER, KAEMPFER, BONNER, RENSHAW & FERRARIO.

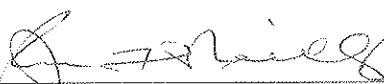
21 4. William J. Wray, Esq. and Donna DiMaggio-Highberger, Esq. are to be removed from all  
22 mailing lists and electronic notices in this case. All notices are to be delivered to the New  
23 Attorneys' as noted above.

24 I, John F. O'Reilly, consent to the above substitution and the above substitution is hereby  
25 accepted.

26 DATED: Sept 5, 2007

27 **O'REILLY LAW GROUP, LLC**

28 By:

  
John F. O'Reilly, Esq.  
Nevada Bar No. 1761

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30 ////

31 ////

32 ////

1 I, Timothy R. O'Reilly, consent to the above substitution and the above substitution is hereby  
2 accepted.

3 DATED: August 5, 2007

**O'REILLY LAW GROUP, LLC**

5 By: T-R. O'Reilly  
6 Timothy R. O'Reilly, Esq.  
7 Nevada Bar No. 8866

8 I, William J. Wray, consent to the above substitution.

9 DATED: August 29, 2007

**KUMMER, KAEMPFER, BONNER, RENSHAW &  
FERRARIO**

10 By: WJW  
11 William J. Wray, Esq.  
12 Nevada Bar No. 5834

13 I, Donna DiMaggio-Highberger, consent to the above substitution.

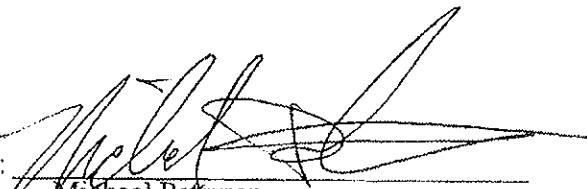
14 DATED: August 29, 2007

**KUMMER, KAEMPFER, BONNER, RENSHAW &  
FERRARIO**

15 By: DDH  
16 Donna DiMaggio-Highberger, Esq.  
17 Nevada Bar No. 9794

1 I, Michael Petersen, secured creditor in the above-entitled matter, hereby consent to the above  
2 substitution of attorneys.

3 DATED: August 4, 2007

4  
5 By:   
6 Michael Petersen

O'REILLY LAW GROUP, LLC  
A NEVADA LIMITED LIABILITY COMPANY INCORPORATING CORPORATIONS  
3225 South Maryland Parkway • Las Vegas, Nevada 89101-5300  
Telephone (702) 382-2500 • Facsimile (702) 384-6766